

5201

## Bullying and Hazing Prohibition

*Policy*

Original Adoption: 12/16/1997

Effective Date: 05/28/2008

Revision Dates: 10/26/2004, 05/27/2008

### I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from bullying or hazing. The District cannot monitor the activities of students at all times and eliminate all incidents of bullying between students or hazing, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the District's schools and the rights and welfare of its students and is within the control of the District in its normal operations, it is the District's intent to prevent bullying and/or hazing. It is also the District's intent to take action to investigate, respond to, remediate, and discipline those acts of bullying and hazing which have not been successfully prevented.

### II. GENERAL STATEMENT OF POLICY

- A. Bullying or hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.
  1. This policy applies to any student whose conduct at any time or in any place constitutes bullying that interferes with or obstructs the mission or operations of the District or the safety or welfare of the student, other students or employees of the District.
  2. This policy applies to any misuse of technology including, but not limited to conduct that is:
    - a. teasing,
    - b. intimidating,
    - c. defaming,
    - d. threatening, or
    - e. terrorizing.
  3. This policy applies to any misuse of technology that directs the conduct identified above toward any student, teacher, administrator, volunteer, contractor or other personnel of the District.
  4. This policy applies to any misuse of technology that is bullying or hazing behavior regardless of whether such acts are committed on or off District property and/or with or without the use of school district resources.

*Page 2 of 3*

- B. No student, employee or other personnel of the District shall plan, direct, encourage, aid or engage in bullying and/ or hazing.
- C. No employee or other personnel of the District shall permit, condone or tolerate bullying and/ or hazing.
- D. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- E. In the case of behavior that constitutes hazing this policy applies to behavior that occurs on or off school property and during and after school hours.
- F. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- G. It shall be a violation of this policy to retaliate against any person who:
  - 1. makes a good faith report of alleged bullying or hazing,
  - 2. acts as a witness in any fact finding or investigation,
  - 3. testifies, assists or participates in any
    - a. fact-finding or investigation
    - b. hearing
    - c. proceeding
- H. Submission of a good faith complaint or report of bullying or hazing will not affect the complainant or reporter's future employment, grades, course credit acquisition, or work assignments.
- I. Any student or employee who supplies information in a complaint or investigation that is determined to have been falsely and maliciously supplied shall be subject to discipline.
- J. The District shall act to investigate all complaints of bullying or hazing.
- K. The District shall discipline or take appropriate action against any student, employee or other personnel of the District who is found to have violated this policy. Discipline shall be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, school district policies and regulations.

**III. RESPONSIBILITY**

- A. The Superintendent is authorized to promulgate regulations to support the implementation of this policy.
- B. Notice of this policy shall be given to students, parents, employees and other personnel of the district.
- C. Teachers, administrators, volunteers, contractors and other personnel of the school district shall be particularly alert to possible situations, circumstances or events which might include bullying and hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute bullying and hazing shall inform the building principal or site administrator immediately.
- D. The District will provide information and applicable training to school district staff regarding this policy.
- E. The administration of the District is directed to implement programs and other initiatives to prevent bullying, provide education and information to students regarding bullying and to respond to bullying in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying or hazing.
- F. The District may implement violence prevention, character development and pro-social skills education programs to prevent and reduce policy violations.

***Legal References:***

Minn. Stat. § 120B.22 (Violence Prevention Education)  
Minn. Stat. § 120B. 232 (Character Development Education)  
Minn. Stat. § 121A.0695 (School Board Policy: Prohibiting Intimidation and Bullying)  
Minn. Stat. § 121A. 40 - 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)

***Cross References:***

MPS Policy 4002 (Harassment and Violence Prohibition)  
MPS Policy 5200 (Citywide Discipline)  
MPS Regulation 5201 A (Reporting Procedures and District Action: Bullying and Hazing)  
MPS Regulation 5201 B (Definitions: Bullying and Hazing)